

**TOWN OF SOUTHEAST**  
**1360 Route 22,**  
**Brewster, New York 10509**  
**Thursday, February 6, 2020**  
**WORK SESSION/REGULAR MEETING 7:00 P.M.**

**Pledge of Allegiance**

**Notation of Exits**

**Turn Off/Put on Vibrate – All Electronic Devices**

**Work Session:**

1. Discussion – Pugsley Road – Sports Complex
2. Discussion – 577 North Main Street – Special Permit - Kennel
3. Discussion – Proposed Amendment Chapter 103, Section 103-8 – Permit Fees
4. Discussion – Proposed Amendment Chapter 138, Section 138-4.B. – Definitions, Section 138-54.2 – Shooting Ranges
5. Discussion – Proposed Amendment – Chapters 123, 138 and A143, Section 123-3 – Policy, Section 123-6 – Definitions, etc.

**Regular Meeting:**

1. Resolution – ARB Recommendation – Life Storage, Inc.
2. Resolution – Approve Highway Department Equipment Expenditure
3. Resolution – Local Law – Amend Chapter 138-44(B)(3) Notification
4. Resolution – Settlement of Certiorari Proceedings – Centennial Golf Club
5. Resolution – Architecture Review Board – Appointment to Fill Vacancy
6. Resolution – Board of Assessment Review – Appointment to Fill Unexpired Term
7. Motion – Appoint Mary Larkin, ARB Chairwoman
8. Motion – Authorize Sale of Highway Department Surplus Equipment
9. Set Public Hearing – Parkland Alienation – Thursday, February 13, 2020, 7:00 P.M.  
1360 Route 22
10. Set Public Hearing – Permit Fees, Section 103-8 – Thursday, February 20, 2020, 7:00 P.M. 1360 Route 22

**Recognition of Public/Public Comment**

**Recognition of Town Board/Town Board Comment**

c#1

**TOWN BOARD  
TOWN OF SOUTHEAST**

**LIFE STORAGE, INC.  
1639 ROUTE 22  
ARCHITECTURAL REVIEW BOARD**

RESOLUTION NO. \_\_\_\_\_ / 2020

Date: February 6, 2020

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, the Town Board is in receipt of a Report of the Architectural Review Board ("ARB") of the Town Southeast dated January 29, 2020 in connection with the application of LIFE STORAGE, INC., which seeks amended site plan approval for an existing commercial storage facility located 1639 Route 22, Tax Map ID 46.-3-13, including construction of a three (3) story 18,144 square foot climate controlled commercial storage building, associated pavement repair, elimination of certain outdoor storage and wetland buffer restoration; and

**WHEREAS**, the Report concludes that the ARB positively recommends the project to the Town Board on certain conditions; and

**WHEREAS**, the Town Board finds that there is no reason to upset the findings and recommendation of the Architectural Review Board in connection with the instant application,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby accepts and approves the Report of the Architectural Review Board dated January 29, 2019 in connection with the application of LIFE STORAGE, INC., which seeks amended site plan approval for an existing commercial storage facility located 1639 Route 22, Tax Map ID 46.-3-13; including construction of a three (3) story 18,144 square foot climate controlled commercial storage building, associated pavement repair, elimination of certain outdoor storage and wetland buffer restoration (a copy of the ARB Review and Report is annexed hereto and made part hereof) and that such Report shall be incorporated in any final Site Plan subsequently reviewed and approved for this project by the Planning Board.

**UPON ROLL CALL VOTE:**

Councilman Alvarez \_\_\_\_\_  
Councilman Larca \_\_\_\_\_  
Councilman Lord \_\_\_\_\_  
Councilman O'Connor \_\_\_\_\_  
Supervisor Hay \_\_\_\_\_

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

# **TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK     )  
                                      : ss.:  
COUNTY OF PUTNAM     )

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 6<sup>th</sup> day of February, 2020.

---

MICHELE STANCATI  
Town Clerk

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

K#2

**AUTHORIZE EXPENDITURE TO PURCHASE HIGHWAY EQUIPMENT**

RESOLUTION NO. \_\_\_\_\_ / 2020

DATE: February 6, 2020

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, the Town Board is in receipt of a request from the Highway Superintendent dated January 21, 2020 seeking approval to expend funds for the purchase of certain highway equipment; and

**WHEREAS**, it is found and determined that there are sufficient funds available and allocated for the proposed purchases within the 2020 Highway Department Budget and such purchase will not require issuance of bonds or notes for the purchase thereof.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Highway Superintendent is authorized to expend an amount not to exceed;

a. Forty Seven Thousand Six Hundred Dollars (\$47,600.00) for the purchase of a pavement (blacktop) roller.

b. One Hundred Eight Thousand Seven Hundred Dollars (\$108,700.00) for purchase of a hydraulic excavator.

c. One Hundred Eighty Thousand Dollars (\$180,000.00) for purchase of two (2) Federal Surplus Plow Trucks.

And be it further

**RESOLVED**, that if the Southeast Superintendent of Highways requires any addition funds above the amount allotted, he will need further authorization by the Town Board to make such expenditure; and be it further

**RESOLVED**, that this resolution shall take effect immediately.

Upon Roll Call Vote:

Councilman Alvarez \_\_\_\_\_  
Councilman Larca \_\_\_\_\_  
Councilman Lord \_\_\_\_\_  
Councilman O'Connor \_\_\_\_\_  
Supervisor Hay \_\_\_\_\_

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

# **TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK     )  
                                      : ss.:  
COUNTY OF PUTNAM     )

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 6<sup>th</sup> day of February, 2020.

---

MICHELE STANCATI  
Town Clerk

C#3

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

**RESOLUTION ADOPTING LOCAL LAW**

RESOLUTION NO. \_\_\_\_\_ /2020

DATE: February 6, 2020

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, a resolution having been adopted by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board to hear all interested parties on a proposed local law which would amend Chapter 138 ("Zoning"); Section 138-44(B)(3) ("Notification") of the Code to establish the manner in which Notice of certain land use and variance applications may be given when the subject of the application is located within a cooperative housing corporation; and

**WHEREAS**, notice of said public hearing was advertised in an official newspaper of the Town of Southeast in the manner prescribed by law, such public hearing was held on December 19, 2019 and all interested persons were given an opportunity to be heard at that time; and

**WHEREAS**, the Town Board is in receipt of a report and recommendation from the Planning Board regarding the proposed action; and

**WHEREAS**, it is the sense of this Town Board that the proposed local law will help promote the general welfare of the public.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town Board of the Town of Southeast hereby adopts Local Law No. 1 of 2020 pursuant to the Municipal Home Rule Law to amend Chapter 138 of the Town Code ("Zoning"), Section 138-44(B)(3) ("Notification") to establish the manner in which Notice of certain land use and variance applications may be given when the subject of the application is located within a cooperative housing corporation; and be it further

**RESOLVED**, that the Town Clerk be and hereby is authorized and directed to (a) enter said Local Law in the minutes of this meeting and in the Code Book of the Town of Southeast; and (b) give due notice of the adoption of said local law by filing such with the Secretary of State of New York within the time required by law.

**UPON A ROLL CALL VOTE:**

Councilman Alvarez \_\_\_\_\_  
Councilman Larca \_\_\_\_\_  
Councilman Lord \_\_\_\_\_  
Councilman O'Connor \_\_\_\_\_  
Supervisor Hay \_\_\_\_\_

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

# **TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK     )  
                                      : ss.:  
COUNTY OF PUTNAM     )

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 6<sup>th</sup> day of February, 2020.

---

MICHELE STANCATI  
Town Clerk

R#4

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

**SETTLEMENT OF CERTIORARI PROCEEDINGS  
CENTENNIAL GOLF CLUB**

RESOLUTION NO. \_\_\_\_\_ / 2020

DATE: February 6, 2019

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, proceedings have been commenced in NYS Supreme Court challenging the assessed valuation of premises owned by Centennial Golf Club, located on John Simpson Road and known generally as Tax Map No. 44.-1-1 for the 2017, 2018 and 2019 assessment years; and

**WHEREAS**, the Town Board is in receipt of settlement recommendations from the Town's Assessor, Appraiser and Town Attorney with regard to such proceedings.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Southeast does hereby accept the recommendations of its professional advisors and authorizes the Town Attorney to execute a Stipulation of Settlement, Consent Judgment and/or Order on Consent in accordance with said recommendations for the following:

<u>Petitioner</u>	<u>Tax ID</u>	<u>Year</u>	<u>Assessment</u>	<u>Settled Assessment</u>
Centennial Golf Club	44.-1-1	2017	\$3,202,800	\$2,377,500
	44.-1-1	2018	\$3,202,800	\$2,282,400
	44.-1-1	2019	\$3,202,800	\$2,187,300

And be it further **RESOLVED**, that the Town Attorney is hereby authorized and directed to execute any and all stipulations, consent orders or other documents necessary to reflect the foregoing settlement.

**UPON A ROLL CALL VOTE:**

Councilman Alvarez \_\_\_\_\_  
Councilman Larca \_\_\_\_\_  
Councilman Lord \_\_\_\_\_  
Councilman O'Connor \_\_\_\_\_  
Supervisor Hay \_\_\_\_\_

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.



# **TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK     )  
                                      : ss.:  
COUNTY OF PUTNAM     )

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 6<sup>th</sup> day of February, 2020.

---

MICHELE STANCATI  
Town Clerk

P#5

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

**ARCHITECTURE REVIEW BOARD  
APPOINTMENT TO FILL VACANCY**

RESOLUTION NO. \_\_\_\_\_ / 2020

DATE: February 6, 2020

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, there is a vacancy on the Town of Southeast Architecture Review Board ("ARB") resulting from the resignation of a sitting member whose term expires on December 31, 2021.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Southeast hereby appoints:

**CARLA LUCCHINO**

to fill the unexpired term on the Southeast Architectural Review Board created by the resignation of John Goudey;

And be it further

**RESOLVED**, that this appointment shall take effect upon the taking and filing of the appropriate oath of office with the Clerk of the Town of Southeast.

**UPON ROLL CALL VOTE:**

Councilman Alvarez \_\_\_\_\_  
Councilman Larca \_\_\_\_\_  
Councilman Lord \_\_\_\_\_  
Councilman O'Connor \_\_\_\_\_  
Supervisor Hay \_\_\_\_\_

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

**TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK     )

                              : ss.:

COUNTY OF PUTNAM     )

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 6<sup>th</sup> day of February, 2020.

---

MICHELE STANCATI  
Town Clerk

R#6

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

**BOARD OF ASSESSMENT REVIEW  
APPOINTMENT OF LISA TO FILL UNEXPIRED TERM**

RESOLUTION NO. \_\_\_\_\_ / 2020

DATE: February 6, 2020

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, a vacancy has occurred on the Board of Assessment Review ("BAR") due to the resignation of Barbara Beshears whose term is due to expire on September 30, 2020.

**WHEREAS**, the Town Board is in receipt of a recommendation regarding the appointment of Lisa LaGuardia-Tremblay to fill the vacant position.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Southeast hereby appoints

**LISA LaGUARDIA-TREMBLAY**

to serve an unexpired term on the Southeast Board of Assessment Review to expire on September 30, 2020; and be it further

**RESOLVED**, that this appointment shall take effect upon the taking and filing of the appropriate oath of office with the Clerk of the Town of Southeast.

**UPON ROLL CALL VOTE:**

Councilman Alvarez	_____
Councilman Larca	_____
Councilman Lord	_____
Councilman O'Connor	_____
Supervisor Hay	_____

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

**TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK     )  
                                      : ss.:  
COUNTY OF PUTNAM     )

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 6<sup>th</sup> day of February, 2020.

---

MICHELE STANCATI  
Town Clerk

R#8

## Highway department surplus vehicles and equipment

Supervisor Hay and members of the town board.

This is a list of vehicles and equipment that is no longer needed by the highway dept.

2002 International plow truck

2004 International plow truck

2001 Dodge small dump with plow (Federal surplus)

2002 Pickup body

Used utility body

1992 International cab and chassis

1986 chevy pickup (Federal surplus)

1986 chevy pickup parts truck (federal surplus)

1996 International parts truck (scrap)

1996 International parts truck (scrap)

6.2 Diesel engine (Federal surplus)

1997 cummins I-10 engine

Surplus parts mostly used

Small propane generator

Used Torwell sander

Thank you

Michael Burdick

WS#1

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

<b>Name of Action or Project:</b> Parkland Alienation of Pugsley Road Site and Land Transfer		
<b>Project Location (describe, and attach a general location map):</b> Starr Ridge Road property (Tax Map 79, Block 1, Lot 10.1) and Pugsley Road property (Tax Map 45, Block 1, Lots 10 & 11)		
<b>Brief Description of Proposed Action (include purpose or need):</b>  The Action involves a land transfer of privately-owned land on Starr Ridge Road with Town-owned parkland on Pugsley Road to potentially facilitate future development as permitted by zoning at Pugsley Road. This action requires alienation of public parkland on Pugsley Road through State legislation, acquisition of the Starr Ridge Road property by the Town and sale of the Pugsley Road property by the Town.  This EAF is prepared to generically evaluate the potential effects of the proposed land alienation and transfer. As part of any proposal for development of the Pugsley Road property by a private project sponsor, a site-specific environmental assessment will need to be completed that evaluates the potential effects of such land development for review under the site plan review provisions of the Town.  Refer to accompanying Additional Information, Attachment A.		
<b>Name of Applicant/Sponsor:</b> Town of Southeast & Prossing Sports Realty, Inc. -- See Attachment A	<b>Telephone:</b>	
	<b>E-Mail:</b>	
<b>Address:</b>		
<b>City/PO:</b>	<b>State:</b>	<b>Zip Code:</b>
<b>Project Contact (if not same as sponsor, give name and title/role):</b> See Attachment A	<b>Telephone:</b>	
	<b>E-Mail:</b>	
<b>Address:</b>		
<b>City/PO:</b>	<b>State:</b>	<b>Zip Code:</b>
<b>Property Owner (if not same as sponsor):</b> See Attachment A	<b>Telephone:</b>	
	<b>E-Mail:</b>	
<b>Address:</b>		
<b>City/PO:</b>	<b>State:</b>	<b>Zip Code:</b>

## B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board Approval of parkland alienation & land transfer	
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	State Assembly & Senate legislation for parkland alienation	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## C. Planning and Zoning

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): Both properties are located in NYC water supply watershed.	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	
If Yes, identify the plan(s): Starr Ridge Road is a "Scenic and Historic Route" designated in the Town Comprehensive Plan, which establishes a "buffer zone" equivalent to the front yard setback on the Starr Ridge site. See additional information in Attachment A.	



### C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Starr Ridge site: R-160 Single Family Residence District  
Pugsley Road site: RC Rural Commercial District, with a portion in Ridgeline Overlay District

- b. Is the use permitted or allowed by a special or conditional use permit? See ☐ Attachment A

- c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

### C.4. Existing community services.

- a. In what school district is the project site located? Starr Ridge site: North Salem School District  
Pugsley Road site: Brewster School District

- b. What police or other public protection forces serve the project site?  
Putnam County Sheriff's Department, NYS Police

- c. Which fire protection and emergency medical services serve the project site?  
Brewster Fire District

- d. What parks serve the project site?  
Farringtons Park, Putnam County Trailway, Southeast Town Park, Volunteer Park, Markel Park

### D. Project Details

#### D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? \_\_\_\_\_

- b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

- c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

- d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_

- ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

- e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
  - Total number of phases anticipated \_\_\_\_\_
  - Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
  - Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year
  - Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

f. Does the project include new residential uses? ☐ Yes ☐ No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No  
 If Yes,

- i. Total number of structures \_\_\_\_\_
- ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length
- iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No  
 If Yes,

- i. Purpose of the impoundment: \_\_\_\_\_
- ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: \_\_\_\_\_
- iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_
- iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres
- v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length
- vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

---

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

- i. What is the purpose of the excavation or dredging? \_\_\_\_\_
- ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
  - Volume (specify tons or cubic yards): \_\_\_\_\_
  - Over what duration of time? \_\_\_\_\_
- iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_
- iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No  
 If yes, describe. \_\_\_\_\_
- v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres
- vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres
- vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet
- viii. Will the excavation require blasting? ☐ Yes ☐ No
- ix. Summarize site reclamation goals and plan: \_\_\_\_\_

---

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No  
 If Yes:

- i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?                  _____ Square feet or _____ acres (impervious surface)                  _____ Square feet or _____ acres (parcel size)</li> <li>ii. Describe types of new point sources. _____</li> <li>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</li> </ul>	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend  
☐ Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

---

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

ii. During Operations:

- Monday - Friday: \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?</p> <p>Describe: _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>n. Will the proposed action have outdoor lighting?</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?</p> <p>Describe: _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day?</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will the proposed action use Integrated Pest Management Practices?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

- Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

- Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- Specify amount to be handled or generated \_\_\_\_\_ tons/month
- Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_
- Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

### E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site		See EAF Part 3	
a. Existing land uses.			
i. Check all uses that occur on, adjoining and near the project site.			
<input type="checkbox"/> Urban	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Rural (non-farm)
ii. If mix of uses, generally describe: _____			
b. Land uses and covertypes on the project site.			
Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_  
\_\_\_\_\_

e. Does the project site contain an existing dam? ☐ Yes ☐ No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☐ No  
If Yes:  
i. Has the facility been formally closed? ☐ Yes ☐ No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_

iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☐ No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No  
☐ Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
☐ Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
\_\_\_\_\_



Page 11 of 13

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat: _____</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b> <span style="float: right;"><u>See EAF Part 3</u></span></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site      <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: _____</li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</li> <li>iii. Distance between project and resource: _____ miles.</li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Town of Southeast & Proswing Sports Realty Date 1/29/2020

Signature Frederick Wells, RLA / KG+D Architects, PC  Planner for Proswing Sports Realty

## *Attachment A.*

### *Additional Information in reference to EAF items.*

#### EAF – A. Project Information

##### **Proposed Action: Parkland Alienation of Pugsley Road Site and Land Transfer**

The Proposed Action involves a land transfer of privately-owned land on Starr Ridge Road with Town-owned parkland on Pugsley Road to potentially facilitate future development as permitted by zoning at Pugsley Road. This action requires alienation of public parkland on Pugsley Road through State legislation, acquisition of the Starr Ridge Road property by the Town and sale of the Pugsley Road property by the Town.

The Environmental Assessment Form (EAF) is prepared to generically evaluate the potential effects of the proposed land alienation and transfer. As part of any proposal for development of the Pugsley Road property by a private project sponsor, a site-specific environmental assessment will need to be completed that evaluates the potential effects of such land development for review under the site plan review provisions of the Town.

At the present time there is no design plan for possible future development of the Pugsley Road site. However, the Town of Southeast believes the Pugsley Road site, which is owned by the Town and is designated for open space, would serve greater public benefit if it were owned and developed for recreational use by a private project sponsor. Likewise, the Town of Southeast believes the Starr Ridge Road site would serve greater public benefit if it were acquired by the Town for preservation as permanent open space, with linkages to nearby open space / recreation land in Peach Lake Natural Area owned by the Putnam County Land Trust.

A transfer of the Pugsley Road site for the Starr Ridge Road site, made possible after alienation of the former parkland site, will facilitate these benefits.

#### EAF – A. Project Sponsor Information

Property Owner - Starr Ridge Road property (Tax Map 79, Block 1, Lot 10.1)  
Proswing Sports Realty, Inc.  
14 Autumn Ridge Road, South Salem, NY 10590

Property Owner - Pugsley Road property (Tax Map 45, Block 1, Lots 10 & 11)  
Town of Southeast  
1360 Route 22, Brewster, NY 10509

Project Contact:  
Tony Hay, Town of Southeast Supervisor  
1360 Route 22, Brewster, NY 10509  
845-279-5345  
[thay@southeast-ny.gov](mailto:thay@southeast-ny.gov)

EAF - C.2. Adopted land use plans - The adopted Town Comprehensive Plan does not include specific recommendations for the sites being considered for transfer but it includes discussion of development-related activity in these areas where the scenic nature of Starr Ridge Road should be preserved and development on Pugsley Road is envisioned.

The Starr Ridge Road property is located along a Scenic and Historic Route designated by the Town (§83-5C. of the Town Code and shown in Historic & Cultural Resources Figure 2-3 in the 2014 Comprehensive Plan Update). This designation affords certain protections to maintain a buffer zone along the property frontage whereby "there shall be no significant disturbance ... except pursuant to a certificate of appropriateness by the Historic Sites Commission."

Regarding Pugsley Road, the Comprehensive Plan Update cites: "... any potential development in the 'Campus at Fields Corner' [project also known as 'Northeast Interstate Logistics'] along Pugsley Road would be compatible with this vision [of growth of the I-84/Route 312 interchange area as a node of commercial activity]." [p. 8-2]

#### **EAF - C.3. Zoning**

Starr Ridge site is in the R-160 Residence District. Principal uses include single family detached dwellings. A Residential Recreation facility is a Special Permit use with a specific limitation on the number of spectator seats.

Pugsley Road site is in the RC Rural Commercial District, with a portion in Ridgeline Overlay District. Ridgeline protection is afforded the uppermost 50 vertical feet of the property. Principal permitted uses in the RC District include craft workshop, nursery, office, restaurant, recreation and kennel.

**1/29/2020**

## ***Attachment A.***

### ***Additional Information in reference to EAF items.***

#### **EAF – A. Project Information**

##### **Proposed Action: Parkland Alienation of Pugsley Road Site and Land Transfer**

The Proposed Action involves a land transfer of privately-owned land on Starr Ridge Road with Town-owned parkland on Pugsley Road to potentially facilitate future development as permitted by zoning at Pugsley Road. This action requires alienation of public parkland on Pugsley Road through State legislation, acquisition of the Starr Ridge Road property by the Town and sale of the Pugsley Road property by the Town.

The Environmental Assessment Form (EAF) is prepared to generically evaluate the potential effects of the proposed land alienation and transfer. As part of any proposal for development of the Pugsley Road property by a private project sponsor, a site-specific environmental assessment will need to be completed that evaluates the potential effects of such land development for review under the site plan review provisions of the Town.

At the present time there is no design plan for possible future development of the Pugsley Road site. However, the Town of Southeast believes the Pugsley Road site, which is owned by the Town and is designated for open space, would serve greater public benefit if it were owned and developed for recreational use by a private project sponsor. Likewise, the Town of Southeast believes the Starr Ridge Road site would serve greater public benefit if it were acquired by the Town for preservation as permanent open space, with linkages to nearby open space / recreation land in Peach Lake Natural Area owned by the Putnam County Land Trust.

A transfer of the Pugsley Road site for the Starr Ridge Road site, made possible after alienation of the former parkland site, will facilitate these benefits.

#### **EAF – A. Project Sponsor Information**

Property Owner - Starr Ridge Road property (Tax Map 79, Block 1, Lot 10.1)  
Proswing Sports Realty, Inc.  
14 Autumn Ridge Road, South Salem, NY 10590

Property Owner - Pugsley Road property (Tax Map 45, Block 1, Lots 10 & 11)  
Town of Southeast  
1360 Route 22, Brewster, NY 10509

Project Contact:  
Tony Hay, Town of Southeast Supervisor  
1360 Route 22, Brewster, NY 10509  
845-279-5345  
[thay@southeast-ny.gov](mailto:thay@southeast-ny.gov)

EAF - C.2. Adopted land use plans - The adopted Town Comprehensive Plan does not include specific recommendations for the sites being considered for transfer but it includes discussion of development-related activity in these areas where the scenic nature of Starr Ridge Road should be preserved and development on Pugsley Road is envisioned.

The Starr Ridge Road property is located along a Scenic and Historic Route designated by the Town (§83-5C. of the Town Code and shown in Historic & Cultural Resources Figure 2-3 in the 2014 Comprehensive Plan Update). This designation affords certain protections to maintain a buffer zone along the property frontage whereby "there shall be no significant disturbance ... except pursuant to a certificate of appropriateness by the Historic Sites Commission."

Regarding Pugsley Road, the Comprehensive Plan Update cites: "... any potential development in the 'Campus at Fields Corner' [project also known as 'Northeast Interstate Logistics'] along Pugsley Road would be compatible with this vision [of growth of the I-84/Route 312 interchange area as a node of commercial activity]." [p. 8-2]

#### **EAF - C.3. Zoning**

Starr Ridge site is in the R-160 Residence District. Principal uses include single family detached dwellings. A Residential Recreation facility is a Special Permit use with a specific limitation on the number of spectator seats.

Pugsley Road site is in the RC Rural Commercial District, with a portion in Ridgeline Overlay District. Ridgeline protection is afforded the uppermost 50 vertical feet of the property. Principal permitted uses in the RC District include craft workshop, nursery, office, restaurant, recreation and kennel.

**1/29/2020**

## ***Attachment A.***

### ***Additional Information in reference to EAF items.***

#### **EAF – A. Project Information**

##### **Proposed Action: Parkland Alienation of Pugsley Road Site and Land Transfer**

The Proposed Action involves a land transfer of privately-owned land on Starr Ridge Road with Town-owned parkland on Pugsley Road to potentially facilitate future development as permitted by zoning at Pugsley Road. This action requires alienation of public parkland on Pugsley Road through State legislation, acquisition of the Starr Ridge Road property by the Town and sale of the Pugsley Road property by the Town.

The Environmental Assessment Form (EAF) is prepared to generically evaluate the potential effects of the proposed land alienation and transfer. As part of any proposal for development of the Pugsley Road property by a private project sponsor, a site-specific environmental assessment will need to be completed that evaluates the potential effects of such land development for review under the site plan review provisions of the Town.

At the present time there is no design plan for possible future development of the Pugsley Road site. However, the Town of Southeast believes the Pugsley Road site, which is owned by the Town and is designated for open space, would serve greater public benefit if it were owned and developed for recreational use by a private project sponsor. Likewise, the Town of Southeast believes the Starr Ridge Road site would serve greater public benefit if it were acquired by the Town for preservation as permanent open space, with linkages to nearby open space / recreation land in Peach Lake Natural Area owned by the Putnam County Land Trust.

A transfer of the Pugsley Road site for the Starr Ridge Road site, made possible after alienation of the former parkland site, will facilitate these benefits.

#### **EAF – A. Project Sponsor Information**

Property Owner - Starr Ridge Road property (Tax Map 79, Block 1, Lot 10.1)  
Proswing Sports Realty, Inc.  
14 Autumn Ridge Road, South Salem, NY 10590

Property Owner - Pugsley Road property (Tax Map 45, Block 1, Lots 10 & 11)  
Town of Southeast  
1360 Route 22, Brewster, NY 10509

Project Contact:  
Tony Hay, Town of Southeast Supervisor  
1360 Route 22, Brewster, NY 10509  
845-279-5345  
[thay@southeast-ny.gov](mailto:thay@southeast-ny.gov)

EAF - C.2. Adopted land use plans - The adopted Town Comprehensive Plan does not include specific recommendations for the sites being considered for transfer but it includes discussion of development-related activity in these areas where the scenic nature of Starr Ridge Road should be preserved and development on Pugsley Road is envisioned.



The Starr Ridge Road property is located along a Scenic and Historic Route designated by the Town (§83-5C. of the Town Code and shown in Historic & Cultural Resources Figure 2-3 in the 2014 Comprehensive Plan Update). This designation affords certain protections to maintain a buffer zone along the property frontage whereby "there shall be no significant disturbance ... except pursuant to a certificate of appropriateness by the Historic Sites Commission."

Regarding Pugsley Road, the Comprehensive Plan Update cites: "... any potential development in the 'Campus at Fields Corner' [project also known as 'Northeast Interstate Logistics'] along Pugsley Road would be compatible with this vision [of growth of the I-84/Route 312 interchange area as a node of commercial activity]." [p. 8-2]

#### **EAF - C.3. Zoning**

Starr Ridge site is in the R-160 Residence District. Principal uses include single family detached dwellings. A Residential Recreation facility is a Special Permit use with a specific limitation on the number of spectator seats.

Pugsley Road site is in the RC Rural Commercial District, with a portion in Ridgeline Overlay District. Ridgeline protection is afforded the uppermost 50 vertical feet of the property. Principal permitted uses in the RC District include craft workshop, nursery, office, restaurant, recreation and kennel.

**1/29/2020**

## ***Attachment A.***

### ***Additional Information in reference to EAF items.***

#### **EAF – A. Project Information**

##### **Proposed Action: Parkland Alienation of Pugsley Road Site and Land Transfer**

The Proposed Action involves a land transfer of privately-owned land on Starr Ridge Road with Town-owned parkland on Pugsley Road to potentially facilitate future development as permitted by zoning at Pugsley Road. This action requires alienation of public parkland on Pugsley Road through State legislation, acquisition of the Starr Ridge Road property by the Town and sale of the Pugsley Road property by the Town.

The Environmental Assessment Form (EAF) is prepared to generically evaluate the potential effects of the proposed land alienation and transfer. As part of any proposal for development of the Pugsley Road property by a private project sponsor, a site-specific environmental assessment will need to be completed that evaluates the potential effects of such land development for review under the site plan review provisions of the Town.

At the present time there is no design plan for possible future development of the Pugsley Road site. However, the Town of Southeast believes the Pugsley Road site, which is owned by the Town and is designated for open space, would serve greater public benefit if it were owned and developed for recreational use by a private project sponsor. Likewise, the Town of Southeast believes the Starr Ridge Road site would serve greater public benefit if it were acquired by the Town for preservation as permanent open space, with linkages to nearby open space / recreation land in Peach Lake Natural Area owned by the Putnam County Land Trust.

A transfer of the Pugsley Road site for the Starr Ridge Road site, made possible after alienation of the former parkland site, will facilitate these benefits.

#### **EAF – A. Project Sponsor Information**

Property Owner - Starr Ridge Road property (Tax Map 79, Block 1, Lot 10.1)  
Proswing Sports Realty, Inc.  
14 Autumn Ridge Road, South Salem, NY 10590

Property Owner - Pugsley Road property (Tax Map 45, Block 1, Lots 10 & 11)  
Town of Southeast  
1360 Route 22, Brewster, NY 10509

Project Contact:  
Tony Hay, Town of Southeast Supervisor  
1360 Route 22, Brewster, NY 10509  
845-279-5345  
[thay@southeast-ny.gov](mailto:thay@southeast-ny.gov)

EAF - C.2. Adopted land use plans - The adopted Town Comprehensive Plan does not include specific recommendations for the sites being considered for transfer but it includes discussion of development-related activity in these areas where the scenic nature of Starr Ridge Road should be preserved and development on Pugsley Road is envisioned.

The Starr Ridge Road property is located along a Scenic and Historic Route designated by the Town (§83-5C. of the Town Code and shown in Historic & Cultural Resources Figure 2-3 in the 2014 Comprehensive Plan Update). This designation affords certain protections to maintain a buffer zone along the property frontage whereby "there shall be no significant disturbance ... except pursuant to a certificate of appropriateness by the Historic Sites Commission."

Regarding Pugsley Road, the Comprehensive Plan Update cites: "... any potential development in the 'Campus at Fields Corner' [project also known as 'Northeast Interstate Logistics'] along Pugsley Road would be compatible with this vision [of growth of the I-84/Route 312 interchange area as a node of commercial activity]." [p. 8-2]

#### EAF - C.3. Zoning

Starr Ridge site is in the R-160 Residence District. Principal uses include single family detached dwellings. A Residential Recreation facility is a Special Permit use with a specific limitation on the number of spectator seats.

Pugsley Road site is in the RC Rural Commercial District, with a portion in Ridgeline Overlay District. Ridgeline protection is afforded the uppermost 50 vertical feet of the property. Principal permitted uses in the RC District include craft workshop, nursery, office, restaurant, recreation and kennel.

1/29/2020

## ***Attachment A.***

### ***Additional Information in reference to EAF items.***

#### **EAF – A. Project Information**

##### **Proposed Action: Parkland Alienation of Pugsley Road Site and Land Transfer**

The Proposed Action involves a land transfer of privately-owned land on Starr Ridge Road with Town-owned parkland on Pugsley Road to potentially facilitate future development as permitted by zoning at Pugsley Road. This action requires alienation of public parkland on Pugsley Road through State legislation, acquisition of the Starr Ridge Road property by the Town and sale of the Pugsley Road property by the Town.

The Environmental Assessment Form (EAF) is prepared to generically evaluate the potential effects of the proposed land alienation and transfer. As part of any proposal for development of the Pugsley Road property by a private project sponsor, a site-specific environmental assessment will need to be completed that evaluates the potential effects of such land development for review under the site plan review provisions of the Town.

At the present time there is no design plan for possible future development of the Pugsley Road site. However, the Town of Southeast believes the Pugsley Road site, which is owned by the Town and is designated for open space, would serve greater public benefit if it were owned and developed for recreational use by a private project sponsor. Likewise, the Town of Southeast believes the Starr Ridge Road site would serve greater public benefit if it were acquired by the Town for preservation as permanent open space, with linkages to nearby open space / recreation land in Peach Lake Natural Area owned by the Putnam County Land Trust.

A transfer of the Pugsley Road site for the Starr Ridge Road site, made possible after alienation of the former parkland site, will facilitate these benefits.

#### **EAF – A. Project Sponsor Information**

Property Owner - Starr Ridge Road property (Tax Map 79, Block 1, Lot 10.1)  
Proswing Sports Realty, Inc.  
14 Autumn Ridge Road, South Salem, NY 10590

Property Owner - Pugsley Road property (Tax Map 45, Block 1, Lots 10 & 11)  
Town of Southeast  
1360 Route 22, Brewster, NY 10509

Project Contact:  
Tony Hay, Town of Southeast Supervisor  
1360 Route 22, Brewster, NY 10509  
845-279-5345  
[thay@southeast-ny.gov](mailto:thay@southeast-ny.gov)

EAF - C.2. Adopted land use plans - The adopted Town Comprehensive Plan does not include specific recommendations for the sites being considered for transfer but it includes discussion of development-related activity in these areas where the scenic nature of Starr Ridge Road should be preserved and development on Pugsley Road is envisioned.

The Starr Ridge Road property is located along a Scenic and Historic Route designated by the Town (§83-5C. of the Town Code and shown in Historic & Cultural Resources Figure 2-3 in the 2014 Comprehensive Plan Update). This designation affords certain protections to maintain a buffer zone along the property frontage whereby "there shall be no significant disturbance ... except pursuant to a certificate of appropriateness by the Historic Sites Commission."

Regarding Pugsley Road, the Comprehensive Plan Update cites: "... any potential development in the 'Campus at Fields Corner' [project also known as 'Northeast Interstate Logistics'] along Pugsley Road would be compatible with this vision [of growth of the I-84/Route 312 interchange area as a node of commercial activity]." [p. 8-2]

#### **EAF - C.3. Zoning**

Starr Ridge site is in the R-160 Residence District. Principal uses include single family detached dwellings. A Residential Recreation facility is a Special Permit use with a specific limitation on the number of spectator seats.

Pugsley Road site is in the RC Rural Commercial District, with a portion in Ridgeline Overlay District. Ridgeline protection is afforded the uppermost 50 vertical feet of the property. Principal permitted uses in the RC District include craft workshop, nursery, office, restaurant, recreation and kennel.

**1/29/2020**

***Full Environmental Assessment Form, Part 3***  
***Evaluation of the Magnitude and Importance of Project Impacts***

The SEQRA Environmental Assessment Form (EAF) examines the potential environmental effects that may result from the parkland alienation of Pugsley Road site and transfer of ownership between the Starr Ridge Road and Pugsley Road sites.

The Proposed Action involves two properties:

- Pugsley Road site – also referred to as the alienation property
- Starr Ridge Road site – also referred to as the replacement property

The Proposed Action does not involve any physical disturbance of the land or change in zoning at the two properties involved. It is noted that there are no defined plans at this time for development at either of the parcels discussed herein and the studies are necessarily generic and based on available information.

**IMPACT ON LAND & GEOLOGICAL FEATURES**

***Existing Conditions***

The soils, topography and geological features are generally defined by the native soil characteristics. Soils in the county have been mapped by the US Department of Agriculture Natural Resources Conservation Service (NRCS; formerly Soil Conservation Service, SCS) for agricultural and land planning purposes.<sup>1</sup>

The total area of the Pugsley Road site is 153.46 acres. Predominant soils on the Pugsley Road site are Charlton and Chatfield series (46%), Chatfield and Hollis with rock outcrops (13%) and Paxton (10%) soil types. The majority are upland, well drained soils, with depth to groundwater over 80" and varying depth of bedrock. Based on the soils mapping, approximately 27 percent of the site has slopes of 10% or flatter, and 12 percent with slopes of 15% or steeper. Topography of the property is variable. The north parcel slopes up from the road toward the interior, from a low point of approximately elevation 630 at the northwest corner to a high point above elevation 810 at the ridge in the northeastern portion of the parcel. The south parcel slopes down from the road into the interior, from a high point of 656 at the northwest corner to approximately 550 at the south end.

The total area of the Starr Ridge site is 94.88 acres. Predominant soils on the Starr Ridge site are Paxton (25%), Woodbridge (41%) and Ridgebury (15%) soil types. The majority are upland, well drained soils, with depth to groundwater at least 18" and deep bedrock. Ridgebury soils are poorly drained lowlands. Based on the soils mapping, approximately 85 percent of the site has slopes of 10% or flatter, and 6 percent with slopes of 15% or steeper. Topography of the property generally slopes down from east to west, from approximately elevation 650 at the eastern edge to a low point of approximately elevation 450 at the west side.

---

<sup>1</sup>USDA SCS Soil Survey of Putnam and Westchester Counties, New York. September 1994. Soil survey information is available via [websoilsurvey.nrcs.usda.gov](http://websoilsurvey.nrcs.usda.gov).

Neither property is known to have any significant or unique natural land features.

### ***Potential Impacts***

The Proposed Action will not impact land resources since the Action does not involve any physical disturbance of the land. Any future development proposal for either site would need to evaluate the potential impacts to land resources and consider measures to minimize or avoid such impacts.

## **IMPACT ON WATER RESOURCES**

### ***Existing Conditions***

On the Pugsley Road site there is an unnamed stream (#864-194, Class C) and a small pond which drain in a southerly direction and are tributary to the Middle Branch Reservoir. Another small pond appears to be isolated without a discharge channel. There are approximately 12.8 acres of designated wetlands on the site. A portion of State wetland LC-28 covers part of the site.

There are approximately 19 acres of designated wetlands on the Starr Ridge site. A portion of State wetland L-32 covers part of the site. An unnamed stream (#864-292, Class C) flows through the western edge of the property and is tributary to East Branch Croton River. The Starr Ridge site is located on a principal aquifer.

Neither site is in or near a 100-year or 500-year floodplain or designated floodway. Both sites are located within the East of Hudson watershed for the NYC water supply system, which is afforded special protections under watershed regulations enforced by the City of New York. Neither site is in a service area of municipal sewer or water services -- local area developments use individual, private septic systems and wells.

### ***Potential Impacts***

The Proposed Action does not involve any physical disturbance of the land and there would be no impact to water resources. Any future development proposal for either site would need to evaluate the potential impacts to water resources and consider measures to minimize or avoid such impacts.

## **IMPACT ON PLANTS & ANIMALS**

### ***Existing Conditions***

Both sites are currently undeveloped. The Pugsley Road site is entirely wooded with upland and wetland habitats. The Starr Ridge site contains a mix of woodland and old field habitats, upland and wetland. Neither site is known to contain a designated significant natural community, although both are located in areas that may contain one or more plant or animal species that is listed as endangered or threatened, and may contain habitat for such species. Neither site contains or adjoins a designated National Natural Landmark (NNL) or Critical Environmental Area (CEA).

The Pugsley Road site contains wetland habitat which extends off the property. The NYSDEC Environmental Resource Mapper indicates there is no unique geological feature nor significant natural community on this property. This site is located in the vicinity of a threatened plant and bats listed as endangered or threatened.

The Starr Ridge property includes wetland habitat which also extends off the property. The NYSDEC Environmental Resource Mapper indicates there is no unique geological feature nor significant natural community on this property. This location is in the vicinity of bats listed as endangered or threatened.

Planning for any future development at either site will require further investigation for the presence or absence of these species.

### ***Potential Impacts***

No physical disturbance of the existing plant and animal habitats would result from the Proposed Action. Both sites contain wetlands which are typically not developable and will remain open space contiguous with additional wetlands on adjacent parcels, and will continue to function as natural open space unaffected by the alienation.

Alienation of the Pugsley Road site and transfer to private ownership will create the opportunity for future development of the property in accordance with the existing Town zoning, which could result in changes to natural resources on a portion of the property. Various environmentally protective measures required by the zoning regulations, including dimensional setbacks and buffers, erosion controls, tree preservation, wetlands protection, and stormwater management, will need to be integral to any future site development plan for the site such that the plan would minimize or avoid any potentially significant impact to flora and fauna, including their habitats.

The Proposed Action will create public open space at the Starr Ridge site, thereby preserving the existing plant and animal habitats.

## **IMPACT ON CULTURAL RESOURCES (AESTHETIC, HISTORICAL/ARCHAEOLOGICAL, AND OPEN SPACE/RECREATION RESOURCES)**

### ***Existing Conditions***

The Pugsley Road site is located on a rural, semi-improved road (a narrow, dirt road, a portion of which is closed for the winter). The road serves as a local through road with views past stone walls into adjoining old fields and woodlands which reflects some of the historic character of the Town of Southeast, although not a designated scenic or historic route. Specific to the Pugsley Road site, a ridgeline protection area is mapped on a portion of the northern parcel which virtually prohibits visible improvements in this area. Although it meets the Town's definition of ridgeline that is a protected resource in the zoning regulations, no formal views are known to be available from this ridge.

Starr Ridge Road is a Scenic and Historic Route designated in the Town's Comprehensive Plan and Town Code. Aptly, the position of the Starr Ridge site on the ridge provides stunning views of sunsets with vistas extending for miles to the west. The Town of Southeast zoning regulations



stipulate that a buffer be protected along Starr Ridge Road frontages to preserve the scenic and historic character of the area. A Ridgeline Overlay District is also mapped along Starr Ridge Road in the vicinity of the site. The designated ridgeline is defined in the Town's zoning as the uppermost 50 vertical feet of the ridge, which would include land above approximate elevation 634 on Starr Ridge Road properties. A small portion of the northeast corner of the subject site would be so affected.

While there are no structures or improvements known to exist on either parcel, both locations are in areas that are sensitive for archaeological resources according to the State archaeological site inventory. Planning for any development at either site will require an inquiry to the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) to ascertain whether there is any record or likelihood of historical/archaeological resources existing on the property that must be protected. The results of such inquiry would determine whether further investigation of cultural resources by a professional archaeologist is necessary prior to any site development.

Neither site is known to be used by the community for public recreation or for hunting or fishing.

The Pugsley Road site is near to public facilities at Tonetta Lake that provide a variety of recreational opportunities for the community including areas for passive recreation similar to what is available at the Pugsley Road site. Southeast Town Park at Tonetta Lake, a 167-acre park includes a 50 plus-acre wetland known as the Cedar Swamp Conservation Area which is unique for its Atlantic white cedar habitat and is contiguous with a 74-acre recreational lake.

The Starr Ridge site is located close to an open space preserve owned by the Putnam County Land Trust (PCLT). The Peach Lake Natural Area, some 140 acres of protected land, is located within walking distance of the Starr Ridge site -- 1,000 feet east of the site via Seven Oaks Lane. Peach Lake Natural Area provides opportunities for hiking, winter sports, bird watching, nature and environmental study and includes the administrative headquarters of the PCLT. The Paul Fitchen Preserve, Birdwood Preserve and Cedar Swamp Preserve all offer trails for public recreation within the Natural Area.

Common to both sites, there are several park facilities open to the residents of the Town of Southeast with active recreation facilities, including:

- Douglas J. Scolpino Park at Mt. Ebo
- Markel Memorial Park
- Southeast Town Park at Tonetta Lake
- Volunteer Park

Additionally, Farringtons Woods Park at the CT state line provides hiking and mountain biking trails open to the public, and the Putnam County Trailway is a publicly accessible scenic / aesthetic resource available to the residents of the Town.

### ***Potential Impacts***

No physical disturbance of the land would result from the Proposed Action thus there would be no change to the existing scenic / aesthetic character or use of either site.

The Proposed Action will create the opportunity for future development of the Pugsley Road property in accordance with the existing Town zoning, which if undertaken could change the

visual character of the property. Various protective measures required by the zoning regulations and pertaining to aesthetic resources, including but not limited to building setbacks, landscaped buffers, wetland buffers, steep slopes protection, and ridgeline protection, are enforceable under the Town Code in the review and approvals required for site development. Any future development proposal would need to evaluate the potential impacts to aesthetic resources and consider measures to minimize or avoid such impacts.

The Proposed Action will reduce the potential for change in the visual character of the Starr Ridge Road site as a result of the conservation effects of establishing public open space at that site.

The Proposed Action will not result in ground disturbance, therefore there will be no impact to historical or archaeological resources at either site. Any future development proposal for either site would need to evaluate the potential impacts to such resources and consider measures to minimize or avoid impacts.

The Proposed Action would not result in a loss of recreational or open space resources. To the contrary, the Action is proposed to provide protection of the Starr Ridge Road site through designating it as public open space and facilitating more suitable recreation facilities for the community to use at the Pugsley Road site.

To date, no recreational use of or linkages with other open space land nearby have been developed or planned for the Pugsley Road property. The proposed alienation will have a beneficial impact to the Town by creating the opportunity for development of the Pugsley Road site for active recreation to address current recreational demand and will maintain potential linkages to the County's Tilly Foster Farm property.

The proposed acquisition of the Starr Ridge Road site will also benefit the Town by preserving existing open space in perpetuity for passive recreation use by Town residents with potential linkages to the Peach Lake Natural Area.

## **IMPACT ON TRAFFIC**

### ***Existing Conditions***

The Pugsley Road site has frontage on Pugsley Road providing access from NYS Route 312 approximately 0.75 mile to the south, and Fields Corner Road providing access from Fair Street (CR 60) approximately one mile to the north. Pugsley Road and a portion of Fields Corner Road are narrow, unpaved and closed to traffic during the winter season. The Pugsley Road site consists of two lots separated by Barrett Road (aka. Zimmer Road), a partially improved Town road.

The Starr Ridge site has frontage on Starr Ridge Road (a Town road) and Turk Hill Road (CR 51), that connect to the broader arterial road network within approximately one mile.

Neither site currently supports an active use nor generates any traffic. Neither site currently has an active driveway access point onto the road network.

### ***Potential Impacts***

The Proposed Action will have no effect on traffic or the transportation infrastructure. Any future development proposal for either site would need to evaluate the potential impacts to traffic-related concerns and consider measures to minimize or avoid such impacts.

## **CONSISTENCY WITH COMMUNITY CHARACTER (SOCIAL FACTORS)**

### ***Existing Conditions***

Land in the immediate area surrounding the Pugsley Road site is largely vacant, undeveloped woods or old field growth. Land in the larger site vicinity is developed in a mix of uses, including single-family residences to the north in the adjoining Town of Patterson, Tilly Foster Farm, a County-owned property that is open to the public for various community-related activities and commercial/retail development on properties to the south. Interstate Route 84 abuts the subject site to the east, effectively isolating the site from uses on the east side of the highway.

The site area is zoned RC Rural Commercial allowing the following permitted uses: craft workshop, nursery, office, restaurant, recreation and kennel; and accessory uses: outside storage, private utilities, restaurant, retail, personal services and professional services. Additionally, the opposite side of Pugsley Road is zoned OP-3 Office Park, allowing a variety of other uses including bed-and-breakfast/country inn, equestrian center, farm use and residential.

As previously described, the physical character of the Pugsley Road area is a rural road with views past stone walls into adjoining old fields and woodlands, which reflects some of the historic character of the Town of Southeast, although not a designated scenic or historic route.

Starr Ridge Road is a Scenic and Historic Route designated in the Town's Comprehensive Plan and Town Code. Aptly, the position of the Starr Ridge site on the ridge provides stunning views of sunsets with vistas extending for miles to the west. The Town of Southeast regulations stipulate that a buffer be protected along Starr Ridge Road to preserve the historic character of the corridor.

Land in the area surrounding the Starr Ridge site is developed primarily in single-family residences on lots of varying sizes. Several parcels in the area (but not this site) are included in an Agricultural District (PUTN001) which afford those properties certain limitations on use. The style of development on Starr Ridge Road – prominent stone walls along the road and many of the houses are noticeably set back from the road in expansive lawns – along with accessory uses that are evident (horse stables, for example) define the distinctive scenic and historic character of the neighborhood.

The area is zoned for large lot residential use (R-160 Residence district) allowing the following uses permitted by right: single family detached dwelling, farms, commercial greenhouses, nurseries, and governmental uses.

### ***Potential Impacts***

The Proposed Action will not have a direct impact on community character, nor is it anticipated to have a cumulative adverse effect on community character. The parkland alienation and subsequent land transfer will facilitate possible future changes in the intensity of land use at the Pugsley Road site by creating the opportunity for development of recreational use that is compatible with its surroundings. would benefit the Town as a community resource.

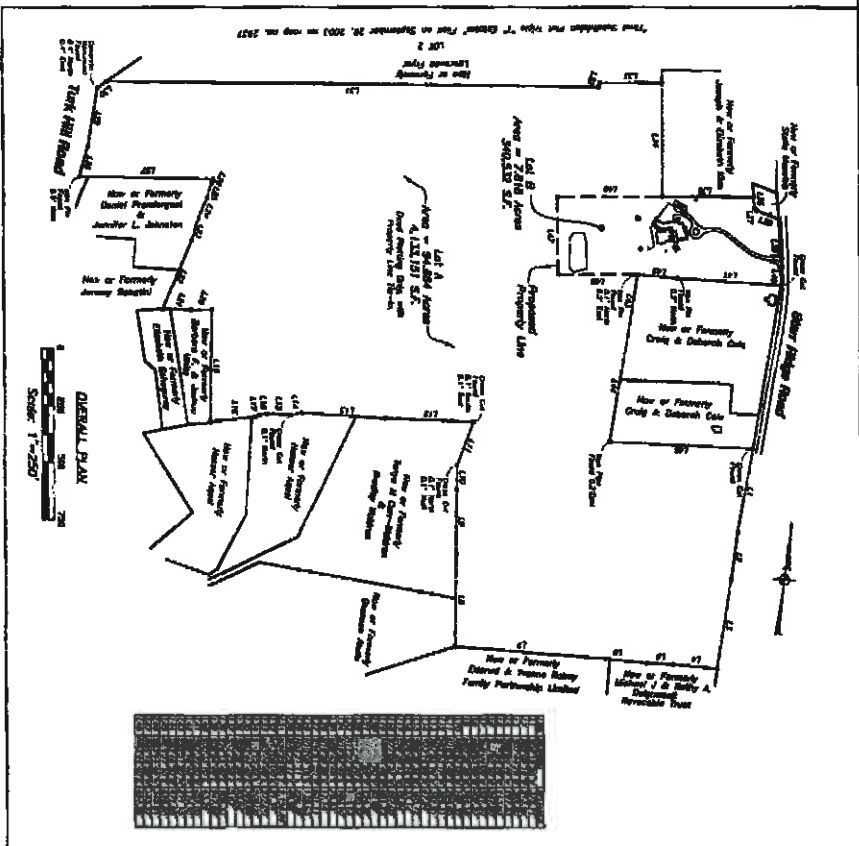
Likewise, establishment of the Starr Ridge Road site as public open space would provide a benefit to the community.

The physical changes that any future development could cause would need to be evaluated in relation to the community character (ie., the surrounding environment and land uses) and mitigation of any impacts would need to be considered to minimize or avoid adverse impacts. Any future development activity at the Starr Ridge Road site is expected to be limited by the conservation protection imposed for that site.

*Prepared by: KG+D Architects, PC, Mount Kisco, NY*

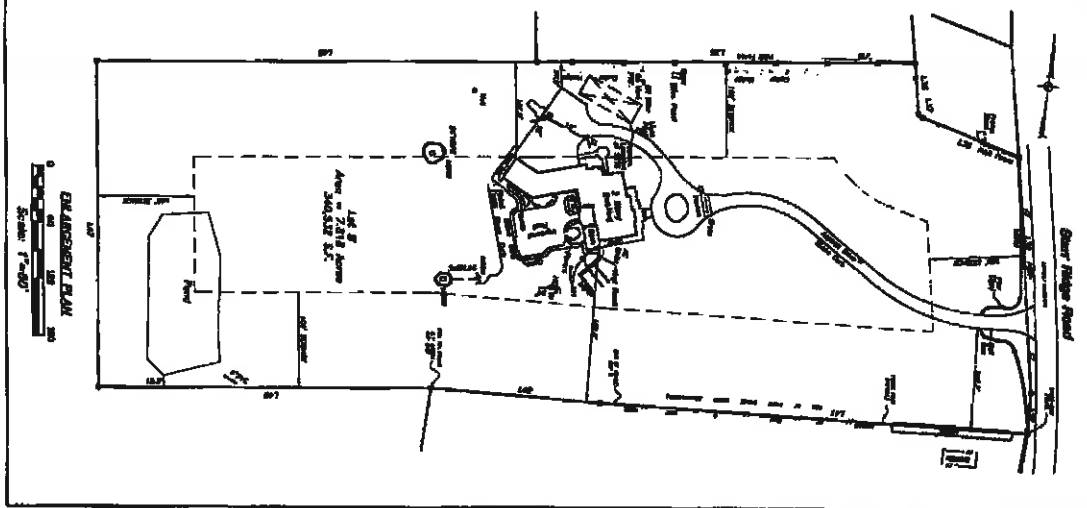
**NOT TO SCALE**  
This map is not to scale. The actual dimensions of the property and the location of the property lines shall be determined by a survey conducted by a licensed surveyor.

**GENERAL NOTES**  
1. The map is prepared for the purpose of showing the location of the property and the location of the property lines. It is not to be used for any other purpose.  
2. The map is prepared for the purpose of showing the location of the property and the location of the property lines. It is not to be used for any other purpose.  
3. The map is prepared for the purpose of showing the location of the property and the location of the property lines. It is not to be used for any other purpose.



**DETAILED ZONE REQUIREMENTS**

Lot	Area	Setback	Height	Area	Setback	Height
1	1000	10	10	1000	10	10
2	1000	10	10	1000	10	10
3	1000	10	10	1000	10	10
4	1000	10	10	1000	10	10
5	1000	10	10	1000	10	10
6	1000	10	10	1000	10	10
7	1000	10	10	1000	10	10
8	1000	10	10	1000	10	10
9	1000	10	10	1000	10	10
10	1000	10	10	1000	10	10



**LEGEND**

Symbol	Description
—	Property Line
—	Setback Line
—	Height Line
—	Area Line
—	Setback Line
—	Height Line
—	Area Line
—	Setback Line
—	Height Line
—	Area Line

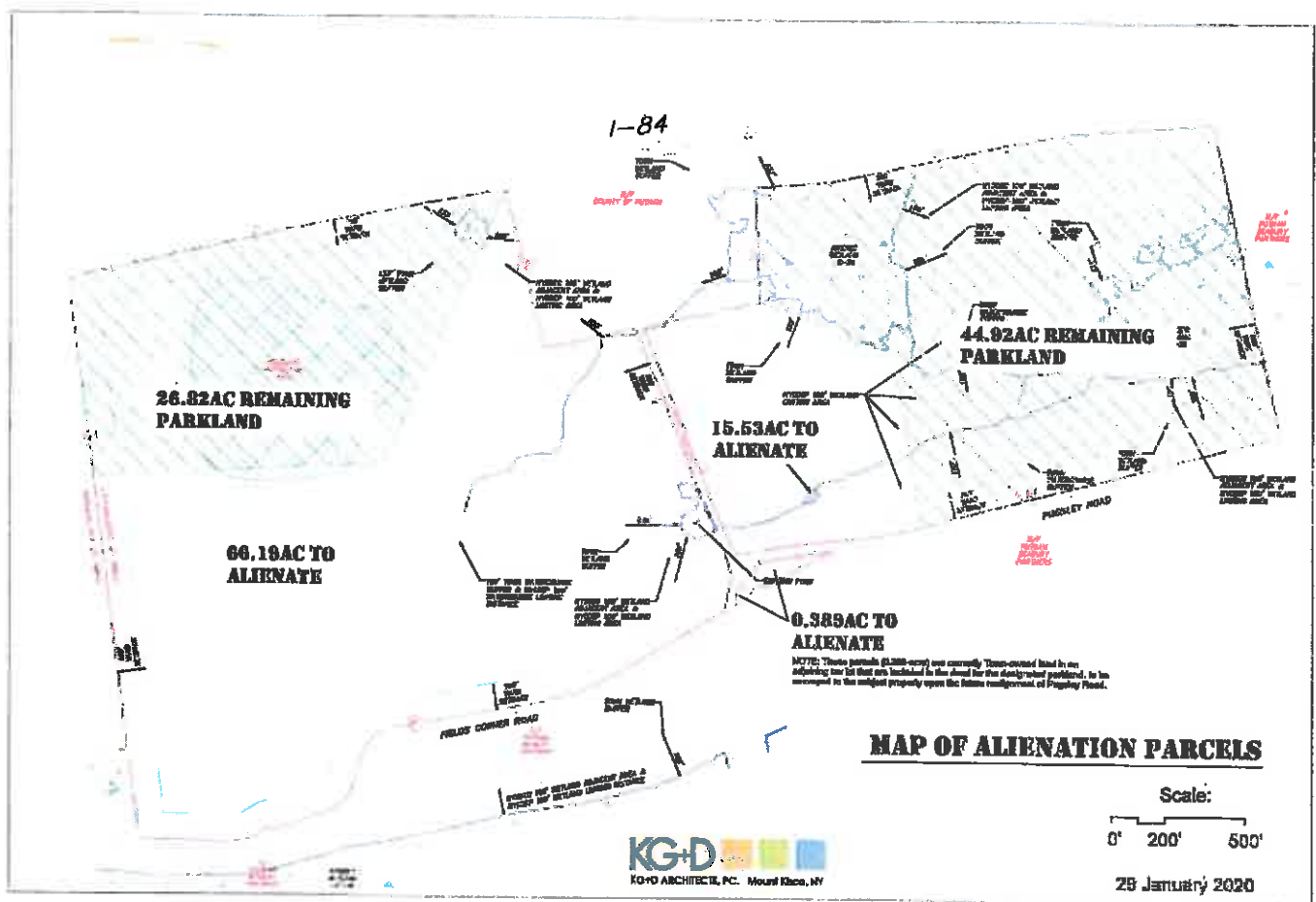
**PLANNING COMMISSION**  
The Planning Commission is a body of citizens who are responsible for the planning and development of the Town of Southport. The Commission is composed of seven members, who are appointed by the Town Board. The Commission's duties include reviewing and recommending to the Town Board on all matters relating to the planning and development of the Town. The Commission also has the authority to prepare and adopt a comprehensive plan for the Town, and to review and recommend on all applications for zoning changes and other matters relating to the planning and development of the Town.

**PLANNING COMMISSION**  
The Planning Commission is a body of citizens who are responsible for the planning and development of the Town of Southport. The Commission is composed of seven members, who are appointed by the Town Board. The Commission's duties include reviewing and recommending to the Town Board on all matters relating to the planning and development of the Town. The Commission also has the authority to prepare and adopt a comprehensive plan for the Town, and to review and recommend on all applications for zoning changes and other matters relating to the planning and development of the Town.

**PLANNING COMMISSION**  
The Planning Commission is a body of citizens who are responsible for the planning and development of the Town of Southport. The Commission is composed of seven members, who are appointed by the Town Board. The Commission's duties include reviewing and recommending to the Town Board on all matters relating to the planning and development of the Town. The Commission also has the authority to prepare and adopt a comprehensive plan for the Town, and to review and recommend on all applications for zoning changes and other matters relating to the planning and development of the Town.

**PLANNING COMMISSION**  
The Planning Commission is a body of citizens who are responsible for the planning and development of the Town of Southport. The Commission is composed of seven members, who are appointed by the Town Board. The Commission's duties include reviewing and recommending to the Town Board on all matters relating to the planning and development of the Town. The Commission also has the authority to prepare and adopt a comprehensive plan for the Town, and to review and recommend on all applications for zoning changes and other matters relating to the planning and development of the Town.

**PLANNING COMMISSION**  
The Planning Commission is a body of citizens who are responsible for the planning and development of the Town of Southport. The Commission is composed of seven members, who are appointed by the Town Board. The Commission's duties include reviewing and recommending to the Town Board on all matters relating to the planning and development of the Town. The Commission also has the authority to prepare and adopt a comprehensive plan for the Town, and to review and recommend on all applications for zoning changes and other matters relating to the planning and development of the Town.



**Area Summary of**  
**Liber 1791 Pg 431 & Liber 1871 Pg 291**

<b>160 Pugsley Road (45.-1-10)</b>	<b>Acres</b>
Parcel 2A	91.172
Parcel 3A	7.222
Exclusion 1 (Conveyance Parcel K)	-0.120
Exclusion 2 (Dedication Parcel M)	-0.086
Exclusion 3 (Dedication Parcel O)	-0.126
Exclusion 4 (Dedication Parcel Q)	-0.005
Exclusion 5 (Dedication Parcel S)	-0.296
Exclusion 6 (Dedication Parcel U)	-0.561
Portion of Parcel Conveyed to County	-4.190
<b>Sub-Total</b>	<b>93.011</b>
<b>132 Pugsley Road (45.-1-11)</b>	<b>Acres</b>
Parcel 1A	66.363
Exclusion 7 (Dedication Parcel Z)	-0.585
Portion of Parcel Conveyed to County	-5.328
<b>Sub-Total</b>	<b>60.450</b>
<b>Other Parcels (part of 45.-1-5.3)</b>	<b>Acres</b>
Parcel 1B	0.041
Parcel 2B	0.347
(Town-owned parcels on the west side of Pugsley Road)	
<b>Sub-Total</b>	<b>0.389</b>
<b>Total</b>	<b>153.849</b>





# **TOWN OF SOUTHEAST HOME RULE LEGISLATION REQUEST**

## **TITLE OF BILL:**

AN ACT to authorize the Town of Southeast, County of Putnam to discontinue and alienate the use of certain town lands as parkland and to sell and convey such lands.

## **PURPOSE:**

This bill authorizes the Town of Southeast to discontinue, alienate and convey parkland located on Pugsley Road in the Town of Southeast, County of Putnam.

## **SUMMARY OF PROVISIONS:**

This bill would allow the Town of Southeast to discontinue, alienate and convey \_\_\_\_ acres of parkland on Pugsley Road in exchange for the dedication of \_\_\_\_ acres of property on Starr Ridge Road to parkland.

## **JUSTIFICATION:**

The parkland to be alienated will be conveyed to Proswing Sports Realty, Inc. to facilitate future development as permitted by the Zoning Code of the Town of Southeast. The parkland on Pugsley Road would serve a greater public benefit if it were owned and developed for recreational use by a private project sponsor. In exchange, the Town of Southeast will acquire and dedicate privately-owned property on Starr Ridge Road as parkland. The Starr Ridge Road site will serve a greater public benefit preserved as permanent open space as it is located along a Scenic and Historic Route designated by the Town of Southeast and has linkages to nearby open space/recreation land in Peach Lake Natural Area owned by the Putnam County Land Trust.

## **BILL TEXT**

AN ACT to authorize the Town of Southeast, County of Putnam to discontinue and alienate the use of certain town lands as parkland and to sell and convey such lands.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subject to the provisions of this act, the Town of Southeast, in the County of Putnam, acting by and through its governing body, is hereby authorized to permanently discontinue as parklands, alienate and convey the land described in section three of this act.

Section 2. The authorization provided for in section one of this act shall take effect only on the condition that the Town of Southeast shall acquire and dedicate as parklands the lands described in section four of this act, such land to be used for park purposes.

Section 3. The lands to be permanently discontinued as parklands and alienated, and conveyed are described as follows:

BEGINNING at a point...

Section 4. The replacement lands to be acquired and dedicated by the Town of Southeast, County of Putnam, acting by and through its governing body, to use as parkland for public purposes consisting of \_\_\_\_\_ acres are described as follows:

Section 5. In the event that the parklands to be acquired and dedicated by the Town of Southeast pursuant to this act are not of equal or greater fair market value to the parklands to be discontinued and conveyed, the Town of Southeast shall dedicate the difference of the fair market value of the lands to be alienated and the lands to be dedicated for the acquisition of additional parklands and/or for capital improvements to existing park and recreational facilities.

Section 6. If the land that is the subject of this act has received funding pursuant to the federal land and water conservation fund, the discontinuance of parklands authorized by the provisions of this act shall not occur until the Town of Southeast has complied with any federal requirements pertaining to the alienation or conversion of such parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market and usefulness to the lands being alienated or covered.

Section 6. This act shall take effect immediately.

TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK

RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE  
INTRODUCE HOME RULE LEGISLATION TO AUTHORIZE THE  
DISCONTINUANCE AND ALIENATION OF PARKLAND LOCATED ON  
PUGSLEY ROAD IN THE TOWN OF SOUTHEAST, PUTNAM COUNTY

RESOLUTION NO. \_\_\_\_/2020

Date:

INTRODUCED BY:

SECONDED BY:

**WHEREAS**, the Town Board of the Town of Southeast (the "Town Board") requests authorization to sell public parkland located on Pugsley Road in the Town of Southeast, Putnam County to Proswing Sports Realty, Inc. for future development as permitted by the Zoning Code of the Town of Southeast; and

**WHEREAS**, in exchange, the Town Board shall acquire and dedicate property owned by Proswing Sports Realty, Inc. located on Starr Ridge Road as parkland; and

**WHEREAS**, the proposed sale and transfer of property requires parkland alienation legislation by the New York State Legislature and compliance with the State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, the Town Board of the Town of Southeast has carefully considered the potential environmental impacts related to the related to the alienation of public parkland on Pugsley Road, acquisition of the Starr Ridge Road property by the Town and the sale of Pugsley Road property by the Town (the "Proposed Action"); and

**WHEREAS**, after conducting a public hearing and other public meetings on the subject, the Town Board has confirmed that the Proposed Action will not result in any significant adverse environmental impacts and, as such, has issued a Negative Declaration pursuant to the requirements of SEQRA; and

**WHEREAS**, the Town Board believes the Pugsley Road site, which is owned by the Town and is designated for open space, will serve a greater public benefit if it were owned and developed for recreational use by a private project sponsor; and

**WHEREAS**, the Town Board also believes the Starr Ridge Road site will serve a greater public benefit if it were acquired by the Town for preservation as permanent open space because Starr Ridge Road property is located along a Scenic and Historic Route designated by the Town of Southeast (§ 83-5C of the Town Code and shown in Historic & Cultural Resources Figure 2-3 in the 2014 Comprehensive Plan Update) and has linkages to

nearby open space/recreation land in Peach Lake Natural Area owned by the Putnam County Land Trust; and

**WHEREAS**, a transfer of the Pugsley Road site for the Starr Ridge Road site, is only possible after alienation of the Pugsley Road site; and

**WHEREAS**, to assist Members of the New York State Senate and Assembly who will be sponsoring legislation authorizing the alienation and the Office of Parks, Recreation and Historic Preservation, the Town Board has prepared the Parkland Alienation Form Municipal Information attached hereto as Exhibit "A."

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Southeast hereby requests the New York State Legislature introduce Home Rule Legislation to authorize the Town Board to alienate Town-owned parkland on Pugsley Road, known and designate as Tax Map 45, Block 1, Lots 10 & 11; and

**BE IT FURTHER RESOLVED**, the Supervisor of the Town of Southeast, or a duly authorized representative, is hereby empowered and directed to execute any agreement, documents, or papers as may be necessary to implement the intent and purpose of this Resolution; and

**BE IT FURTHER RESOLVED**, the Clerk of the Town of Southeast, in conjunction with any other duly authorized representatives, is hereby directed to send certified copies of this Resolution and all supporting documentation to the New York State and Assembly Home Rule offices of Senator Pete Harkman and Assemblyman Kevin Byrne.



**Town Clerk**  
**Michele Stancati**

# Town of Southeast

1360 Route 22  
Brewster, New York 10509  
Tel. (845) 279-2196  
Fax (845) 279-4399  
Email [mstancati@southeast-ny.gov](mailto:mstancati@southeast-ny.gov)

**Deputy Town Clerk**  
Elizabeth Cerone

**Deputy Town Clerk**  
Donna Milazzo

WS#3

## FOOD VENDOR PERMIT TOWN OF SOUTHEAST

No. \_\_\_\_\_

NAME OF APPLICANT \_\_\_\_\_

ADDRESS OF APPLICANT \_\_\_\_\_

TELEPHONE OR CELL PHONE # \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

DESCRIPTION OF TRUCK \_\_\_\_\_

VEHICLE IDENTIFICATION AND PLATE # \_\_\_\_\_

PROPERTY OWNER'S ADDRESS AND LOCATION OF WHERE SERVICES ARE  
RENDERED \_\_\_\_\_

EFFECTIVE DATE \_\_\_\_\_

EXPIRATION DATE 12/31/201\_

Food Truck Permit Fee:

- ☐ \$500 - Full Year (1/1 - 12/31) 12 Month Fiscal 10 AY
- ☐ \$250 - Half Year (7/1 - 12/31) 6 " " "
- ☐ \$ 20 - Per Day
- ☐ \$100 - Per month
- ☐ N/C - Veteran\*

APPLICANT'S SIGNATURE \_\_\_\_\_

TOWN CLERK'S SIGNATURE \_\_\_\_\_

\*IF THERE IS A VETERANS EXCEPTION PLEASE PROVIDE COPY OF FORM DD214. Veterans are exempt from any permit fees for operating food trucks, providing it OWNER-OPERATED ONLY.

## VENDOR RULES AND REGULATIONS INFORMATION

- Permits will be \$500 for the calendar fiscal year to be determined by the applicant; \$250 after July 1 for six months of a fiscal year to be determined by the applicant. A secondary permit would be available for Town/Municipal property for \$100/month or \$20/day.
  - Veterans are exempt from any permit fees for operating vending vehicles, provided it is Owner-Veteran operated. The Veteran receiving this exemption must provide a copy of his/her DD-214 and is the only person allowed to operate the vending facility at any time.
- Locations are not assignable.
- If a permit holder is found guilty of violating this Local Law, a fine of \$100 may be assessed. After three (3) convictions within a calendar year six months and/or twelve months of the issued permit date, the food vendor's Town's Food Registration Permit may be revoked and, if revoked, the vendor will not be permitted to apply for a new permit for 365 calendar days from such revocation.
- There will be no outside seating allowed at any food truck or vending vehicle site.
- Trash receptacles must be provided for each food truck/vending vehicle. Receptacles shall not be allowed to overflow and all refuse shall be removed from the location at the end of the day.
- Hours of operation shall be between the hours of 5:00 A.M. to 9:00 P.M. daily.
- Absolutely no overnight parking of vending vehicles is allowed. The food truck/vending vehicle must be removed from the permitted vending location at the end of each day.

I acknowledge by my signature affixed to this document that I have been provided a copy of Chapter 103, Peddling and Soliciting, Article II – Food Trucks last revised by the Town of Southeast Town Board Local Law #2 of 2018, on March 22, 2018, and acknowledge the brief summary above of the law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Notary

Sworn to me this \_\_\_\_ day of  
2018

\_\_\_\_\_  
Signature

## § 103-8 Permit; fees.

### A.

Except as otherwise provided herein, the Town Clerk shall issue no more than seven food truck permits in any ~~calendar~~ fiscal year. There shall be no limit on the number of annual permits issued to qualifying veterans. No more than one permit shall be issued to any individual or qualifying business entity.

### B.

Such permit shall be issued to an applicant who has completed the requisite application on the prescribed form provided by the Town Clerk, paid the requisite fee(s) and provided such additional information as may be required in the application, including, but not limited to, proof of general liability insurance with limits of liability not less than \$1,000,000 per occurrence; current vehicular registration, inspection and insurance; proof of permission to locate the food truck at the particular location; and, in the case of prepared food sales, a current food vendor's permit issued by the Putnam County Department of Health. The Town of Southeast shall be listed as an additional insured on the policy of general liability insurance.

### C.

Permits shall be issued on a ~~calendar~~ fiscal year basis ~~running from January 1 to December 31 to be determined by the applicant. Applications for such permits shall be available to residents or established businesses located within the Town of Southeast. from November 1 through November 30 of each year for the following year. From December 1 on, applications, to the extent permits are still available, shall be accepted from nonresidents.~~

### D.

The annual fee for a food truck permit shall be set by the Town Board and included in the annual fee schedule adopted by the Town Board, as the same may be amended from time to time. ~~Any permit issued after July 1 shall be 1/2 of the annual permit fee and shall run for the balance of the calendar year.~~ Any permit issued to a veteran shall be exempt from the payment of the annual fee. To be exempt from the payment of the requisite permit fee, such veteran shall actually be engaged in the operation of the food truck and shall be present at the location at all times the food truck is in operation.

### E.

Food truck permit holders and any employee(s) shall be issued a photographic identification card by the Town of Southeast. Such identification shall be maintained on the person of the permit holder and employee at all times that the food truck is in operation and shall be open to the inspection by the Town Code Enforcement Officer.

### F.

Secondary permits shall be made available to existing food truck permit holders who wish to provide food vending services on municipally owned properties on an annual, monthly, weekly or daily basis. ~~Such secondary permits shall only be issued to existing food truck permit holders.~~

The fee for such secondary permit shall be set forth in the annual fee schedule, as the same may be amended from time to time.

**G.**

Notwithstanding the foregoing, any licensed or permitted food truck shall be allowed to operate on private property within the Town at a specific function and at the specific request by such private property owner for the purpose of catering or providing food service for such special function.



WS#4

## DRAFT

### Town of Southeast, Putnam County, NY

#### Local Law No. \_\_ of 2020

A LOCAL LAW entitled: "A Local Law to Amend Chapter 138 of the Town Code, 'Zoning'."

Be it enacted by the Town Board of the Town of Southeast, Putnam County, New York, as follows:

#### SECTION 1. LEGISLATIVE INTENT

The Town Board of the Town of Southeast proposes to amend the permitted recreational uses within the Town to permit new recreation and sporting uses within commercial zoning districts.

#### SECTION 2. AMENDMENTS TO ARTICLE I, "GENERAL PROVISIONS; DEFINITIONS"

Section 138-4.B, "Definitions" is hereby amended, in part, to amend the following definitions:

##### RECREATION

Recreation uses include golf courses and driving ranges; dance, gymnastics, and martial arts studios; indoor health and exercise facilities; tennis, racquetball, pickleball, and squash courts (indoor and outdoor); swimming pools, spas, and splash pads (indoor and outdoor); ice skating rinks; ~~indoor soccer or basketball facilities~~; indoor rock climbing gym; and ball sports fields. ~~Recreation uses shall exclude automotive or go-cart tracks; shooting ranges; amusement parks; and any use of archery equipment, guns, weaponry, or similar equipment that may be used to simulate combat, including equipment that has the capacity to propel a projectile or emit a light and/or laser.~~

##### RECREATION, RESIDENTIAL

Residential recreation uses include golf courses and driving ranges; dance, gymnastics, and martial arts studios; indoor health and exercise facilities; tennis, racquetball, pickleball, and squash courts (indoor and outdoor); swimming pools, spas, and splash pads (indoor and outdoor); ~~ice skating rinks; indoor soccer or basketball facilities; indoor rock climbing gym~~; and public or not-for-profit ball sports fields. Residential recreation uses shall exclude facilities intended primarily for spectator activities, such as, but not limited to, stadia and arenas, and any of the above permitted uses with spectator seating for more than 25 people. Residential recreation uses shall also exclude shooting ranges; amusement parks; and any use of archery equipment, guns, weaponry, or similar equipment that may be used to simulate combat, including equipment that has the capacity to propel a projectile or emit a light and/or laser.

##### SHOOTING RANGE

An indoor or outdoor facility that is designed or intended as a place for the regular and repeated discharge of firearms for the purpose of target practice or target shooting, skill development and training, recreation and/or competitions, including skeet shooting, trap shooting and/or other similar shooting activities, and is open to use by persons other than the owner of the property and the owner's family and social guests, whether the

facility is operated by a club or membership group, government entity, or private person or entity.

### SECTION 3.

Section 138-54.2 Shooting Ranges is hereby added as follows:

All shooting ranges shall be subject to the following supplementary regulations:

A. Exempt ranges. The provisions of this section shall not apply to shooting ranges not open to the public which are utilized solely for law enforcement and/or governmental purposes.

B. Supervision.

(1) There shall be a certified range master, a firearms instructor or a range safety officer on site and actively in control of the shooting range whenever open to the public or the range is in use.

(2) Range masters, firearm instructors or range safety officers shall have been trained by and have a valid current certification from one of the following organizations:

(a) Firearms instructors: National Rifle Association (NRA), New York State-Division of Criminal Justice Services (NYS-DCJS), International Association of Law Enforcement Firearms Instructors (IALEFI), Smith & Wesson Academy, SIG Arms Academy, any U.S. federal law enforcement agency (FBI, FLETC, ICE, USSS, ATF, USBP), any U.S. military agency (Army, Navy, Marines, Air Force, Coast Guard, National Guard).

(b) Range safety officers: National Rifle Association (NRA), International Defensive Pistol Association (IDPA), International Practical Shooting Association (IPSC), United States Practical Shooting Association (USPSA).

(c) Range master: SIG Arms Academy, Smith & Wesson Academy, Action Target Academy, any U.S. military agency and any federal law enforcement agency.

(3) Range masters, firearm instructors or range safety officers shall also:

(a) Be at least 21 years of age.

(b) Not have ever been convicted of any felony involving violence or intimidation, or the use of firearms or any offense related to the use, control, possession or sale of firearms.

(c) Not be a person prohibited from possessing firearms as provided by Article 265 of the New York State Penal Law.

(4) There shall be at least one range master, firearms instructor or range safety officer for every five shooters.

C. Operation of shooting ranges.

(1) No new shooting range shall be located nearer than 1,000 feet from any entrance to any school, daycare center, church or hospital or in any location which, in the opinion of the Town Board, will result in the annoyance of any nearby resident.

- (2) No gambling, betting or wagering shall be permitted upon the premises.
- (3) No alcoholic beverages shall be possessed or consumed on the premises, and no person under the influence of alcohol, mind-altering drugs, or controlled substances as defined by Article 220 of the New York State Penal Law shall be allowed on the premises.
- (4) Range masters, firearms instructors, range safety officers, and any other employees shall wear a uniform or other distinguishing mark to identify them as employees.
- (5) Access for entrance to the shooting range shall be under continuous control, monitoring and supervision by the operator and/or employees.
- (6) All waste material generated at the range will be managed and timely disposed of in accordance with all federal and state hazardous waste regulations.
- (7) The conduct and operation of any shooting range shall be in compliance with any and all federal, state and/or local laws, rules, codes and/or regulations.
- (8) Firearm types used at shooting ranges are restricted to rifles, shotguns, pistols and similar firearms. The use of bows and crossbows are also permitted. The use of fully automatic firearms and explosives is permitted for official police or military training exercises only.
- (9) The owner / operator of the shooting range shall keep on file with the Town Clerk a current certificate of insurance indicating it has in force and effect general liability insurance coverage with coverage limits of not less than \$1,000,000 per occurrence for bodily injury and death, and not less than \$500,000 for property damage.
- (10) No shooting range shall operate except upon the issuance of a certificate of compliance issued by the Town of Southeast Code Enforcement Officer signifying the issuance of a special permit, and compliance with the provisions of this section. The certificate of compliance must be renewed annually, and may be revoked at any time upon the determination of the determination of the Code Enforcement Officer that the shooting range is being operated in violation of the provisions of the Special Permit or the provisions of this section.

D. Indoor shooting ranges are subject to the following supplementary regulations:

- (1) All doors, gates and entrances leading into that part of the premises between the firing point and the backstop shall be securely locked and alarmed, and no person shall be permitted therein at any time persons are engaged in shooting or have access to the firearms used. Attendants and employees may, however, enter said part of the premises between the firing point and the backstop while shooting is not in progress.
- (2) The shooting range shall be properly and adequately ventilated at all times.

E. Outdoor shooting ranges are subject to the following supplementary regulations:

- (1) Minimum lot size shall be ten (10) acres.
- (2) No part of a shooting range shall be located within 1,000 feet of a property line bordering a commercially zoned property, or 1,320 feet (one-quarter mile) of a property line bordering a residentially zoned property.
- (3) Shooting ranges shall be oriented to take advantage of natural terrain and vegetation, to avoid watercourses and wetlands, to minimize the effects of glare from the sun and to

minimize noise impacts and safety risks to adjoining property owners and those traveling on public roads.

(4) The shooting range shall have a safety fence six feet in height erected around the entire perimeter of the portion of the property where weapons are discharged. A gate shall be erected to permit vehicular entry into the shooting range. The gate must be kept locked at all times the shooting range is not open and under supervision of the owner / operator.

(5) All shooting ranges shall be designed, constructed, maintained and operated in such a manner as to contain all bullets, shot, or other debris on the range facility, and in accordance with the recommendations set forth in the most recent edition of the "NRA Range Source Book" published by the National Rifle Association, and the most recent edition of "Best Management Practices for Lead at Outdoor Shooting Ranges" published by the United States Environmental Protection Agency. Minimum design features shall include, but shall not be limited to:

- (a) Adequate backstop
- (b) Adequate side berms
- (c) Appropriate firing line covers / safety baffles

(6) Shooting shall not occur before 9:00 a.m. Mondays through Saturdays, and no earlier than 10:00 a.m. on Sundays. All shooting shall cease not less than one hour prior to sunset.

(7) Shooting ranges shall be subject to the noise restrictions of Chapter 96, "Noise" of the Code of the Town of Southeast.

(8) Warning signs shall be posted around the entire perimeter of the shooting range in 100 foot intervals, including on the security fence, identifying the premises as a shooting ranges and warning of lethal danger. The size and spacing of all such signs shall be so as to be readily visible to anyone within 100 feet of the range perimeter.

(9) All applications for a special permit to establish or expand a shooting range shall be accompanied by a site plan drawn by a licensed design professional to an appropriate scale which includes the following:

- (a) Property lines for any and all parcels upon which the range facility will be located, north arrow, drawn to scale, date, ownership information for the site, and all existing roads and structures within 1,000 feet of the site;
- (b) Complete layout of all range facilities, including all buildings, shooting stations and other structures, firing lines, target areas, shot-fall zones or safety fans, backstops, berms and baffles;
- (c) Such other information as the Town Board may deem appropriate and relevant to determining compliance with the provisions of this section.

F. Transfer of Special Permit. Shooting range Special Permits shall not be transferred. In the event of any change involving the owner or operator of the business, the type of business, the name of the business or the business location, a new Special Permit shall be required.

G. Severability. Should any section, paragraph, sentence, clause or phrase in this chapter be declared unconstitutional or invalid for any reason, the remainder of this section shall not be

affected thereby and shall remain in full force and effect, and to this end, the provisions of this section are declared to be severable.

#### **SECTION 4. AMENDMENTS TO COMMERCIAL ZONING SCHEDULE**

Chapter 138 Attachment 5, "Town of Southeast Commercial Zoning Schedule," is hereby amended, in part to add "Shooting range" as a Special Permit Use in the following zoning districts:

NB
ED
OP-1
OP-2
OP-3
GC
SR-6
HC
SR22
RC

Chapter 138 Attachment 5, "Town of Southeast Commercial Zoning Schedule," is hereby amended, in part as follows:

Note I: In the ~~OP-MU~~ OP-3 Zone, permitted principal uses under special permit, retail/service shall not exceed 5% of the total permitted commercial development area.

Note J: In the ~~OP-MU~~ OP-3 Zone, a floor area ratio of 0.15 shall not be exceeded without a transportation district in place or until the road improvements necessary to accommodate the additional development are made.

Note K: In the ~~OP-MU~~ OP-3 Zone, permitted principal uses, residential use shall not exceed 50% of the total lot area. An open space area, suitably planted and screened, shall be provided on the site consisting of not less than 200 feet between any principal building on a residential lot and any principal building on a commercial lot. Nothing herein shall be deemed to prohibit interior site roads to penetrate such buffer zone.

Note L: In the ~~OP-MU~~ OP-3 Zone, minimum lot size shall be the minimum lot size necessary to qualify for ~~OP-MU~~ OP-3 mixed-use development treatment. In addition, for rezoning purposes, such lot must be currently zoned OP to be considered for rezoning to ~~OP-MU~~ OP-3. Resubdivision of the commercially developed portion of such district shall be governed by the area standards established for OP-3 District. Resubdivision of the residentially developed portions of such district shall be governed by the provisions of the Residence R-20 District of this chapter.

Note O: In the ~~OP-MU~~ OP-3 Zone, parking requirements for office use shall be provided in accordance with § 138-67H.

**SECTION 5.                    VALIDITY**

The invalidity of any word, section, clause, paragraph, sentence, part, provision of this Local Law shall not affect the validity of any other part of this Local Law that shall be given effect without such invalid part or parts.

**SECTION 6.                    EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Secretary of State.

WS #5

**DRAFT**

**Town of Southeast, Putnam County, NY**

**Local Law No. \_\_\_\_ of 2020**

A LOCAL LAW entitled: "A Local Law to Require Curb Ramps on all Sidewalks."

Be it enacted by the Town Board of the Town of Southeast, Putnam County, New York, as follows:

**SECTION 1: LEGISLATIVE INTENT**

The Town Board of the Town of Southeast proposes to amend Chapters 123, 138, and A143 of the Town Code to require curb ramps for pedestrians on all new sidewalks where they intersect with driveways, intersections, and crosswalks within the Town. The Town Board recognizes that curb ramps are important for pedestrian safety and mobility, and will require ADA accessible curb ramps on all new sidewalks within the Town.

**SECTION 2: AMENDMENTS TO CHAPTER 123, SUBDIVISION OF LAND, ARTICLE I, "GENERAL PROVISIONS"**

Section 123-3, "Policy," is hereby amended, in part, as follows:

E. Safe driveway and pedestrian access shall be provided to each proposed lot.

**SECTION 3: AMENDMENTS TO CHAPTER 123, SUBDIVISION OF LAND, ARTICLE II, "DEFINITION OF TERMS"**

Section 123-6, "Definitions," is hereby amended, in part, to add the following definitions:

**CURB RAMP**

A short ramp built into the curb of a sidewalk to ease pedestrian passage to the street, driveway, or parking lot, especially for people using wheelchairs, walkers, and pushing baby carriages or strollers. Pedestrian curb ramps shall provide an Americans with Disabilities Act (ADA) compliant accessible pathway between sidewalks and streets at intersections, crosswalks, and driveway crossings.

**CURB CUT**

A cut through a curb and sidewalk, that enables a vehicle to drive to a driveway, garage, parking lot, loading dock, or drive-through.

**DROP CURB**

See "curb ramp."

**SECTION 4: AMENDMENTS TO CHAPTER 123, SUBDIVISION OF LAND, ARTICLE V, "REQUIREMENTS FOR PLANS, PLATS AND OTHER DOCUMENTS"**

Section 123-30A, "Preliminary plat and supporting documents" is hereby amended, in part, to add the following:

- (25) The location of all proposed sidewalks, including curb ramps, and street trees.

Section 123-30B, "Site Development Plan" is hereby amended, in part, to add the following:

- (4) The site development plan drawings shall show the following information:
  - (a) The proposed location and layout of all streets, sidewalks, crosswalks and curb ramps, lots, driveways, parks, recreation areas and open spaces and building setback lines.
  - (b) Street center lines, edges of pavement (curb lines), curb cuts, curb ramps, and right-of-way lines.

Section 123-30C, "Design Drawings" is hereby amended, in part, to add the following:

- (3) Street plan views shall be drawn to the same scale as the site development plan drawings. Information shown in the plan views shall include but is not limited to the following:
  - (f) The location of all sidewalks, curbing, curb cuts, curb ramps, and street trees.

Section 123-31A., "Final plat and supporting documents" is hereby amended, in part, to add the following:

- (12) The location and width of each street, sidewalk, curb cut, curb ramp, easement and right-of-way.

**SECTION 5: AMENDMENTS TO CHAPTER 123, SUBDIVISION OF LAND, ARTICLE VI, "GENERAL REQUIREMENTS AND DESIGN STANDARDS"**

Section 123-35A., "Streets" is hereby amended, in part, to add the following:

- (2) All streets shall be designed and constructed in accordance with the Road and Drainage Specifications of the Town of Southeast and this chapter and in accordance with the street classification prescribed by the Planning Board. Streets shall be graded and improved with pavement, street signs, sidewalks, street lighting, curbs, curb ramps, gutters, monuments, guideposts, guardrails, trees, utilities and storm drains, except where the Planning Board may waive, subject to appropriate conditions, such improvements as it considers are not requisite in the interest of public health, safety and general welfare.

Section 123-38, "Curbs" is hereby amended, in part, to add the following:

Machine-extruded bituminous concrete lip curbing or cement concrete curbing shall be installed on both sides of all streets, as required by the Road and Drainage Specifications of the Town of



Southeast. ADA compliant curb ramps shall be provided at all intersections, crosswalks, and driveway crossings.

## **SECTION 6: AMENDMENTS TO CHAPTER 138, ZONING, ARTICLE I, "GENERAL PROVISIONS"**

Section 138-4B, "Definitions" is hereby amended, in part, to add the following definitions:

### **CURB RAMP**

A short ramp built into the curb of a sidewalk to ease pedestrian passage to the street, driveway, or parking lot, especially for people using wheelchairs, walkers, and pushing baby carriages or strollers. Pedestrian curb ramps shall provide an Americans with Disabilities Act (ADA) compliant accessible pathway between sidewalks and streets at intersections, crosswalks, and driveway crossings.

### **CURB CUT**

A cut through a curb and sidewalk, that enables a vehicle to drive to a driveway, garage, parking lot, loading dock, or drive-through.

### **DROP CURB**

See "curb ramp."

## **SECTION 7: AMENDMENTS TO CHAPTER 138, ZONING, ARTICLE IX, "SITE PLAN REVIEW AND APPROVAL"**

Section 138-46, "General criteria and standards" is hereby amended, in part, as follows:

C. Existing streets. Where the lot has frontage on an existing street, proper provision shall be made for grading and improvement of shoulders and for provision of curbs and sidewalk areas within the right-of-way of the street and for provision of curbs and sidewalks in accordance with the pattern of development along the street. Where necessary to provide for suitable access or for a system of neighborhood circulation streets, provision shall also be made for appropriate continuation and improvement of streets terminating at the lot where the use is to be located. ADA compliant curb ramps shall be provided at all intersections, crosswalks, and driveway crossings.

E. Pedestrian safety. Insofar as practicable, pedestrian and bicycle circulation shall be separated from motor vehicle circulation. Safe and convenient pedestrian circulation, including appropriate sidewalks and curb ramps, shall be provided on the site and its approaches. The pedestrian circulation plan shall be designed to minimize adverse effects of vehicular traffic upon sidewalks and bicycle paths.

F. Parking and loading. Off-street parking and loading spaces shall be provided in accordance with the provisions of Article XI and the landscape standards of § 138-50. The location, width and layout of interior drives shall be appropriate for the proposed interior circulation. The location and layout of off-street parking and loading spaces shall provide for efficient circulation and the safety of pedestrians and vehicles. Insofar as practicable, separate rows or aisles in parking areas shall be divided by trees, shrubbery and other landscaping devices. Sidewalks, curb ramps, crosswalks, and other pedestrian safety and accessibility features shall be provided as applicable to ensure safe

access to proposed buildings, structures, and parking areas. The location of parking areas shall not detract from the design of proposed buildings and structures or from the appearance of the existing neighboring buildings, structures and landscape. Provision shall be made for access by police, fire and emergency vehicles.

M. Handicapped persons. The site plan for any use to which the public is invited or expected to visit shall make proper provision for buildings and site development that are accessible to and functional for physically handicapped persons, such as by provision of walks and ramps of suitable width and grade, curb cuts, curb ramps, wide parking spaces and ground-level building entrances.

N. Curb ramps. Newly constructed or altered streets, roads, and highways shall contain curb ramps or other sloped areas at any intersection having curbs or other barriers to entry from a street level pedestrian walkway. Newly constructed or altered street level pedestrian walkways shall contain curb ramps or other sloped areas at intersections to streets, roads, or highways.

## **SECTION 8: AMENDMENTS TO CHAPTER A143 ROAD AND DRAINAGE SPECIFICATIONS**

Section A143-11, "Sidewalks," is hereby amended in part, as follows:

Where the installation of sidewalks is required on secondary thoroughfares, major thoroughfares, in pedestrian easements, on streets in the vicinity of schools and playgrounds and in other places deemed proper by the Planning Board, the sidewalks shall be installed in accordance with the dimensions and details shown on the Standard Details. Americans with Disabilities Act (ADA) compliant pedestrian curb ramps shall be required at all intersections, driveway crossings, and crosswalks.

## **SECTION 9: VALIDITY**

The invalidity of any word, section, clause, paragraph, sentence, part, provision of this Local Law shall not affect the validity of any other part of this Local Law that shall be given effect without such invalid part or parts.

## **SECTION 10: EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Secretary of State.